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	10/551,992	10/21/2005	Rainer Biener	125424	6450
	25944 OLIFF & BER	7590 10/30/2007 RIDGE, PLC	,	EXAMINER	
P.O. BOX 320850 ALEXANDRIA, VA 22320-4850		350		FRISTOE JR, JOHN K	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Defice Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address —								
Examiner John K. Frisce Jr. John K. Frisch Jr. John K. Frisce Jr. John K. Frisch Jr. John K. Frisce Jr. Joh		Application No.	Applicant(s)					
John K. Fristoe Jr. 3753 A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Faster to refer to remy be a sellation under the procedure of 37 CPR 1.1369. In ne weart, however, may a rety be templated to the templating of the desire of the making date of the communication. Faster to replay the specified above, the making date of this communication, specified above, the making date of this communication, even if timely filed, may reduce any service part term adjustment. See 37 CPR 1.7369. Status Status Ji⊠ Responsive to communication(s) filed on 21 October 2005. Zal This action is FINAL. 2bi⊠ This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-12 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-12 is/are rejected. 7) Claim(s) 1-12 is/are rejected to give the service of the priority distribution of the drawing(s) filed on 04 October 2005 is/are: ali⊠ accepted or bi Objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 04 October 2005 is/are: ali⊠ accepted or bi Objected to by the Examiner. Application Papers Priority under 35 U.S.C. § 119 11) Certified copies of the priority documents have been received in Application No. 2000 in the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17, 2(a)). **See the a	,	10/551,992	BIENER, RAINER					
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3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 10/4/05. 5) Notice of Informal Patent Application 6) Other:	3) Information Disclosure Statement(s) (PTO/SB/08)	5) 🔲 Notice of Informal I						

'Application/Control Number: 10/551,992

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 10/4/05 I acknowledged by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1-3 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 2,575,272 (Harris). Harris discloses an infinitely variable directional valve comprising a valve body (26) embodied as a seat slide, an inlet port (14), a discharge port (15), a blocking means (50), a closing cone (38) having a control edge, a valve seat (12), wherein the valve body is prestressed (via element 41), wherein the pilot control valve (50) can be lifted from the pilot control valve seat (below element 50 in figure 1), wherein the pilot control valve (50) is guided (via element 16), a control spring (41), a valve spring retainer (42'), and wherein the pilot control valve (50) is prestressed (via element 51).
- 4. Claims 1-9 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,699,351 (Wells). Wells discloses an infinitely variable directional valve comprising a valve body (30, 64) being a seat slide, an inlet port (24), a discharge port (26), a blocking means (82), a closing cone (48) having a control edge, a valve seat (34), a pilot control valve seat (84), wherein the valve body (30) is prestressed (62), wherein the pilot control valve is prestressed (via element 90), wherein the pilot control valve (82) can be lifted from the seat slide (64), wherein

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the pilot control valve (82) is guided (via element 16), a driving shoulder (65), a control collar (surrounding element 108), control notches (above element 108), an axial bore (74), an overflow chamber 76), a proportional magnet (98), a tappet (86), an engaging dog (65), and a tracking spring (90).

Conclusion

- 5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - U.S. Pat. No. 2,968,464 (Olson) discloses a pilot control valve.
 - U.S. Pat. No. 4,746,093 (Scanderbeg) discloses a pilot control valve.
 - U.S. Pat. No. 5,048,790 (Wells) discloses a pilot control valve.
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John K. Fristoe Jr. whose telephone number is (571) 272-4926. The examiner can normally be reached on Monday-Friday, 7: 00 a.m-4: 30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/John K. Fristoe Jr./ John K. Fristoe Jr. Examiner Art Unit 3753

JKF